

California Regional Water Quality Control Board  
Santa Ana Region

CEASE AND DESIST ORDER No. 98-48

for the  
YMCA of Metropolitan Los Angeles  
Camp Whittle  
San Bernardino County

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Board), finds that:

1. On March 9, 1973, the Board adopted a prohibition of the discharge of wastes from subsurface leaching-percolation systems in the Big Bear (Bear Valley) area. The effective date of the prohibition was established to be July 1, 1978.
2. On April 11, 1975, the Board adopted a Water Quality Control Plan for the Santa Ana River Basin (Basin Plan). This plan was approved by the State Water Resources Control Board (State Board) on April 17, 1975. The 1975 Basin Plan incorporated the March 9, 1973, waste discharge prohibition adopted for the Big Bear area.
3. On March 18, 1977, the Board adopted an amendment to the Basin Plan revising the date for compliance with the Bear Valley prohibition to July 1, 1980. This amendment was subsequently approved by the State Board.
4. The regional wastewater treatment plant and sewer systems for the Big Bear area were completed in 1980.
5. The Bear Valley prohibition was included in the revised 1983 Basin Plan which was adopted by the Regional Board on May 13, 1983 and by the State Board on October 20, 1983. The revised 1995 Basin Plan became effective on January 24, 1995. The 1995 Basin Plan includes the Bear Valley discharge prohibition.
6. The Bear Valley discharge prohibition includes a specific provision allowing the granting of an exemption for YMCA of Metropolitan Los Angeles' Camp Whittle (hereinafter discharger). This exemption was granted for existing facilities in areas outside the boundaries of the sewer district, provided that these discharges will not, individually or collectively, directly or indirectly, affect water quality.

7. Camp Whittle discharges wastes to evaporation-percolation ponds.
8. A recent investigation required by the San Bernardino County Environmental Management Division and carried out by the discharger showed that surface water quality had been indirectly affected by effluent percolating from the discharger's evaporation-percolation ponds. Thus, the condition for exemption from the waste discharge prohibition is not being met. Discharges to the ponds violate the prohibition. San Bernardino County Environmental Management Division staff and discharger staff agreed that the discharger's facility should be connected to the regional sanitary sewer to assure permanent compliance with the prohibition.
9. To comply permanently with the prohibition, the discharger has committed to connect to the regional sanitary sewer system. The discharger's Board of Directors has approved a five-year plan to raise funds for and construct the sewer project. In the interim, to prevent the discharge of wastes in violation of the Bear Valley discharge prohibition, the discharger proposes to reconfigure and line the evaporation-percolation ponds with a synthetic membrane liner. This project is scheduled to be completed during spring, 1998.
10. The Board has notified the discharger and other interested parties of its intent to adopt this cease and desist order.
11. The Board, at a public hearing held on March 6, 1998, received and considered all relevant information pertaining to this order.
12. This enforcement action is being taken for the protection of the environment and, as such, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

In accordance with Section 13301 of the California Water Code, it is hereby ordered that:

1. By June 1, 1998, the discharger shall line the ponds with impermeable materials in a manner acceptable to the Executive Officer.
2. The discharger shall ensure that the discharge of wastewater to the ponds does not affect water quality.

3. The discharge of wastes to disposal ponds with less than 20" of freeboard is prohibited.
4. By March 27, 1998, the discharger shall submit for the approval of the Executive Officer, a plan and time schedule for permanent compliance with the waste discharge prohibition. This plan shall identify all major tasks and activities and associated schedules needed to achieve compliance by November 1, 2003.
5. Violations of the approved compliance schedule will be considered violations of this order. The discharger may petition the Executive Officer to adjust the approved compliance schedule and/or final compliance date for verifiable and unforeseen delays beyond the control of the discharger, and the Executive Officer may modify the schedule if requested adjustments are justified and reasonable.
6. The discharger may petition the Executive Officer to modify the approved plan. If the Executive Officer agrees with the proposed modifications to the plan, the discharger shall implement the modified plan in accordance with the approved compliance schedule or an adjusted compliance schedule.
7. Until full compliance with this order and the Bear Valley waste discharge prohibition is achieved, the discharger shall submit quarterly reports to the Board discussing the status of compliance with the approved plan and schedule. Reports are to be submitted on or before January 15, April 15, July 15 and September 15 each year.

If, in the opinion of the Executive Officer, the discharger fails to comply with this order, the Executive Officer is directed to file a complaint assessing administrative civil liability or to request the attorney general take judicial enforcement action against the discharger, including an injunction and civil monetary penalties, if appropriate, pursuant to Section 13331 or 13350 of the California Water Code.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on March 6, 1998.

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GERARD J. THIBEAULT  
Executive Officer